



To: Russell Allen, City Manager

From: Dhanya Sandeep, MRP  
Doug Hill, AICP  
Mitchell Silver, PP, AICP; Planning Director

Date: March 7, 2008

**Re: Recommendations: Standards for Private Use of Downtown Public Spaces**

CC: Rahef Abed-Hernandez, Faye Allen, Dan Becker, Kenneth Bowers, AICP; Daniel Douglas, AICP; Walt Fulcher, John Libby, Martha Lobo, Tracey Lovejoy, Thomas McCormick, Dennis McMillan, Robert Pearce, Carter Pettibone, Michael Reynolds, Patrick Rocker, Wayne Schindler, Larry Strickland, William Yeager

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At its February 20, 2007 meeting, the City Council approved the adoption of *Standards for Private Use of Public Spaces, A Downtown Raleigh Urban Design Handbook*, with an effective date of April 1, 2007. Additionally, the Council requested that staff report the status of implementation of the standards to the City Council in early 2008. A memo was sent to the City Council in January, 2008, outlining the status of implementation with a proposal to report back in March with a list of recommended policy amendments.

### Overview

The Standards are an outgrowth of the City's "Livable Streets" Plan, a community-based plan for the reinvigoration of Raleigh's core. It outlines basic procedures and standards for approving a variety of private uses of sidewalks and other public right-of-way spaces within the Downtown Overlay District, and three adjacent Pedestrian Business Overlay Districts – Glenwood South, North Person Street (Oakwood/Mordecai) and Peace Street, with a view towards creating an active, accessible, engaging, and vibrant urban environment. The Standards apply to the following activities operating on public spaces in Downtown: news racks, outdoor dining, street performances, pushcart vending, mail drop-off boxes, and certain minor encroachments, including outdoor merchandise, street furniture and accessories, awnings, lighting, signage, and Façade Grant elements. They do not pertain to permanent alterations to or encroachments into public space.

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**Status**

One of the key implementation items that followed the adoption of the Standards was the creation of a one-stop downtown office for obtaining permits for the use of public right-of-way spaces. This new Downtown Permits Office (DPO) was launched on April 1, 2007 as a branch of the City's Inspections Department. A staff person from the Inspections Department was assigned to serve as the Downtown Permits Officer to issue all permits for the specific activities addressed in the Standards. To this date, the Downtown Permits Office (DPO) has issued approximately 600 permits with the following breakdown:

Newsracks - 508  
Pushcart Vending - 52  
Street Performers - 16  
Outdoor Dining - 14  
Minor Encroachments - 12

An inter-agency implementation team comprised of staff from the Inspections, Planning, Parks & Recreation and Police Departments, and the Downtown Raleigh Alliance, has met bi-weekly since April, 2007 to report on and discuss the progress of implementation. The team has logged, monitored, and evaluated key issues identified for the various activities addressed in the Standards. From those discussions, a series of potential refinements emerged.

These possible changes were shared with current permit holders and other stakeholders in a series of public review sessions held on February 28. Those conversations led to further honing of the provisions. The attached document outlines in detail the recommendations that have come out of the combined staff-stakeholder dialogue. We offer these potential amendments for your consideration.

**Next Steps**

The permits issued under the present Standards expire at the end of the current fiscal year (June 30, 2008). Any amendments to the Standards would thus ideally become effective prior to when the new permit cycle takes effect.

Many thanks for your consideration of these recommendations.